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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/605,461  | 09/30/2003  | Lu-De Chen           | WISP0031USA         | 2460             |
| 27765   | 7590        | 07/17/2006           | EXAMINER            |                  |
| NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION<br>P.O. BOX 506<br>MERRIFIELD, VA 22116 |             |                      | RAHMAN, FAHMIDA     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2116                |                  |

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/605,461

Applicant(s)

CHEN ET AL.

Examiner

Fahmida Rahman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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### **DETAILED ACTION**

1. This final action is in response to communications filed on 5/2/2006.
  2. Claims 1, 7 and 8 have been amended, no claims have been added or cancelled.
- Thus, claims 1-10 are pending.

### **Priority**

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy filed on 6/29/2004 has been received.

Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a translation of the foreign application should be submitted under 37 CFR 1.55 in reply to this action.

### **Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshioka et al (US Patent Application Publication 2004/0075345)

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For claim 1, Yoshioka et al teach the following limitations:

**A method of controlling the operational mode of a computer system comprising the following steps:**

**(a) detecting if a period that a second power supply supplies power to the computer system is less than a predetermined period** ([0133] of page 10 mentions that the controller decides whether or not the elapsed time reaches a reference time, which includes detecting if a period is less than predetermined period, since not reaching the predetermined period means the period is less than the predetermined period. The elapsed time is the time of auxiliary battery supplying power. Thus, the limitation “detecting if a period that a second power supply supplies power to the computer system is less than a predetermined period” is taught by the prior art) **when a source of the power supplied to the computer system in a first operation mode** (the first mode is the data collecting mode where these timing related data is stored in memory 315 and compared with reference. [0153] of page 13 mentions that 312 stores first, second and third signal in 315. Thus, the first operating mode comprises a mode where all time length related data are collected, stored and compared with reference time) **is switched from a first power supply (105) to the second power supply (118) and back to the first power supply (105;** [0099] of page 8 mention that the supply changes from main to auxiliary and then to main)

**(b) changing the computer system to a second operational mode if it was detected that the period was less than the predetermined period** (the second operation mode is the data transmission mode where controller 312C is sending these

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data to external device as mentioned in [0183] and [0184]. The second operation mode is performed irrespective of the condition whether the detected period is less than predetermined period. However, that includes the "if" situation also and hence, meets the claimed limitations).

For claim 3, the auxiliary unit of Yoshioka et al is a battery.

For claim 6, the system is a computer system.

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshioka et al.

For claim 5, Yoshioka et al. do not mention that the computer is a note book computer. Examiner takes an official notice that the use of notebook computer is well known in the art. One ordinary skill in the art would have been motivated to incorporate the teachings of Yoshioka et al. in a notebook computer, since that would reduce the power management of the notebook computer.

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4. Claims 2, 7, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshioka et al (US Patent Application Publication 2004/0075345), further in view of applicant's admission of prior art.

For claim 2, Yoshioka et al teaches all of the limitations of claim 1. However, Yoshioka et al do not teach the AC/DC adapter.

Applicant mentions in lines 1-3 of [0004] that a computer system generally comprise an AC/DC adapter.

It would have been obvious for an ordinary skill in the art at the time the invention was made to combine the teachings of Yoshioka et al, and the applicant's admission of prior art. One ordinary skill in the art would have been motivated to have the AC/DC adapter for providing power to the component, since this is widely used and convenient to use.

For claim 7, Yoshioka et al teach all of the limitations as stated in claim 1 but the first supply is an AC/DC adapter connected to alternating current source.

Applicant mentions in lines 1-3 of [0004] that a computer system generally comprise an AC/DC adapter.

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It would have been obvious for an ordinary skill in the art at the time the invention was made to combine the teachings of Yoshioka et al and the applicant's admission of prior art. One ordinary skill in the art would have been motivated to have the AC/DC adapter for providing power to the component, since this is widely used and convenient to use, especially in computer system.

For claim 9, Yoshioka et al do not mention that the computer is a notebook computer. Examiner takes an official notice that the use of notebook computer is well known in the art.

One ordinary skill in the art would have been motivated to incorporate the teachings of Yoshioka et al in a notebook computer, since that would help the power management of the notebook computer.

For claim 10, the system of Yoshioka et al is a computer system.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshioka et al (US Patent Application Publication 2004/0075345), further in view of Kling et al (US patent 6367023).

For claim 4, Yoshioka et al do not explicitly mention reducing frequency to save power. Kling et al teaches a system where frequency is reduced to save power (410 and 510)

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It would have been obvious for one ordinary skill in the art at the time the invention was made to combine the teachings of Yoshioka et al, and Kling et al. One ordinary skill in the art would have been motivated to reduce the frequency, since reducing frequency reduces the power consumption.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshioka et al (US Patent Application Publication 2004/0075345), further in view of applicant's admission of prior art, further in view of Kling et al (US patent 6367023).

For claim 8, the combination of Yoshioka et al, applicant's admission of prior art does not explicitly mention reducing frequency to save power.

Kling et al teaches a system where frequency is reduced to save power (410 and 510)

It would have been obvious for one ordinary skill in the art at the time the invention was made to combine the teachings of Yoshioka et al, applicant's admission of prior art and Kling et al. One ordinary skill in the art would have been motivated to reduce the frequency, since reducing frequency reduces the power consumption.

### **Response to Arguments**

Applicant's arguments filed on 5/2/2006 are moot in view of new grounds of rejections. However, as Yoshioka is still relied upon, examiner will address the arguments pertaining to the reference.



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Applicant argues that the combined prior art does not teach the limitations "source of power provided to the computer system switching from a first power source to a second power source and back again to the first power source all while operating in a first operating mode, and changing to a second operating mode if the second power source was used for less than a predetermined period".

Examiner disagrees. Yoshioka et al teach the limitations "source of power provided to the computer system switching from a first power source (105) to a second power source (118) and back again to the first power source (105; [0099] of page 8) all while operating in a first operating mode (the first mode is the data collecting mode where these timing related data is stored in memory 315 and compared with reference as mentioned in [0133] of page 11. [0153] of page 13 and [0182] of page 15 mention that controller stores first, second and third signal in 315. Thus, the first operating mode comprises a mode where all time length related data are collected, stored and compared with reference time)". Yoshioka et al teach the limitations "changing to a second operation mode", as the controller of Yoshioka et al transmits the signals to the external device, wherein the transmission can be considered as a second operation mode. Yoshioka et al further teach the limitations "if the second power source was used for less than a predetermined period" (note [0024] of page 2, which mentions that the length of time during the use of auxiliary battery is measured. In addition, note [0030] of page 2). The words "controller has the function of deciding whether or not the elapsed time reaches a predetermined reference time" includes the limitations "if the second

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power source was used for less than a predetermined period". When the measured length does not reach the predetermined length, it must be less than predetermined length. All these information is sent to external device, wherein the transmission is the second operating mode. Thus, if the period was less than predetermined period, the computer system is changed to second operation mode.

### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fahmida Rahman whose telephone number is 571-272-8159. The examiner can normally be reached on Monday through Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on 571-272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fahmida Rahman  
Examiner  
Art Unit 2116

  
**LYNNE H. BROWNE**  
**SUPERVISORY PATENT EXAMINER**  
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